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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/204,390	12/02/1998	DEBORAH EVERLING	P/2167-61	5465
21967	7590	12/14/2005		
HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			EXAMINER LIVERSEDGE, JENNIFER L	
			ART UNIT 3628	PAPER NUMBER

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/204,390	Applicant(s) EVERLING ET AL.	
	Examiner Jennifer Liversedge	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/29/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/204,390 (December 2, 1998) filed on February 22, 2005.

The amendment contains amended claims: 1, 10, 18

The amendment contains original claims: 2-9, 11-17, 19-21

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable by Melchione et al (U.S. Patent No. 5,930,764).

Regarding claim 1, Melchione discloses a method for processing transaction data using a processing system, the method comprising receiving transaction data, the transaction data containing account numbers (abstract; figs. 1-8; col. 1, lines 53-62; col.2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65); identifying non-issuer account numbers which represent accounts not issued by an issuer using the processing system (col. 7, lines 50-58; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 16, lines 16-44); and matching the identified non-issuer account numbers with account numbers representing accounts issued by the issuer (col. 2, lines 21-36; col. 7, lines 50-58; col. 16, lines 16-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67); and outputting results from the matching the identified non-issuer account numbers with account numbers representing accounts issued by the issuer

Art Unit: 3628

(col. 8, lines 54-58; col. 14, lines 48-54; col. 16, lines 42-44; col. 34, lines 30-35; col. 35, lines 19-21).

Melchione refers to customer and non-customer (potential customers and outside vendors) accounts, but does not use the words account numbers. However, it is old and well known in the art that accounts have associated therewith account numbers. Therefore it would be obvious to one of ordinary skill in the art to use account numbers to associate with and by customer and non-customer accounts. The motivation would be to use a known and established means of tracking and labeling accounts.

Further, Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

These two motivations as set forth above regarding the use of terminology apply to all subsequent dependent claims within the application.

Regarding claim 10, Melchione discloses a method for processing transaction data using a processing system, the method comprising receiving new transaction data, the new transaction data representing new credit transactions and comprising records

Art Unit: 3628

containing at least account numbers of accounts which initiated the new credit transactions (claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67); eliminating new transaction data containing issuer account numbers, the issuer account numbers representing issuer accounts of customers of an issuer using the processing system (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16); generating a list of account numbers contained in the new transaction data which are not issuer account numbers (col. 2, lines 20-41; col. 8, lines 54-59; col. 16, lines 16-44; col. 23, lines 1-17); identifying account numbers in the list which represent accounts owned by the customers, the identified account numbers being denoted as non-issuer account numbers; and associating, by customer, the non-issuer account numbers with issuer account numbers (col. 2, lines 20-40; col. 4, lines 28-37; col. 7, lines 23-58; col. 16, lines 17-44).

Melchione refers to customer and non-customer (potential customers and outside vendors) accounts, but does not use the words account numbers. However, it is old and well known in the art that accounts have associated therewith account numbers. Therefore it would be obvious to one of ordinary skill in the art to use account numbers to associate with and by customer and non-customer accounts. The motivation would be to use a known and established means of tracking and labeling accounts.

Further, Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use

Art Unit: 3628

term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

These two motivations as set forth above regarding the use of terminology apply to all subsequent dependent claims within the application.

Regarding claim 18, Melchione discloses a method for processing transaction data using a processing system, the method comprising maintaining a database using the processing system, the database containing issuer account numbers representing issuer accounts of customers of an issuer, containing non-issuer account numbers representing non-issuer accounts of the customers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59, col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67), and containing historical transaction data associated with non-issuer accounts (col. 4, lines 29-37; col. 7, lines 52-65; col. 8, lines 17-22; col. 10, lines 44-52); receiving new transaction data, the new transaction data representing new credit transactions and comprising records containing at least account numbers of accounts which initiated the new credit transactions (claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44;

Art Unit: 3628

col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67); eliminating new transaction data containing issuer account numbers by comparing the new transaction data to the issuer account numbers maintained in the database using the processing system (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16); updating the historical transaction data in the database by adding new transaction data containing non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67); generating a list of account numbers contained in the new transaction data which are not issuer account numbers and which are not non-issuer account numbers (col. 2, lines 20-41; col. 8, lines 54-59; col. 16, lines 16-44; col. 23, lines 1-17); eliminating duplicate account numbers from the list (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67); identifying new non-issuer account numbers contained in the list (col. 7, lines 50-58; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 16, lines 16-44); associating the new non-issuer account numbers with issuer account numbers (col. 2, lines 21-36; col. 7, lines 50-58; col. 16, lines 16-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67); adding the new non-issuer account numbers to the database (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-41; col. 7, lines, 23-59; col. 8, lines 17-22; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 34, lines 30-35; col.

Art Unit: 3628

35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67); and updating the historical transaction data in the database by adding the new transaction data containing the new non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67).

Melchione refers to customer and non-customer (potential customers and outside vendors) accounts, but does not use the words account numbers. However, it is old and well known in the art that accounts have associated therewith account numbers. Therefore it would be obvious to one of ordinary skill in the art to use account numbers to associate with and by customer and non-customer accounts. The motivation would be to use a known and established means of tracking and labeling accounts.

Further, Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

These two motivations as set forth above regarding the use of terminology apply to all subsequent dependent claims within the application.

Regarding claim 2, Melchione discloses a method wherein the matching step comprises identifying a consumer associated with at least one of the identified non-issuer account numbers (col. 16, lines 17-28; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60); determining if the identified consumer is a customer of the issuer, the customer having an issuer account number representing an issuer account issued by the issuer (col. 16, lines 17-28; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60); and linking the non-issuer account number of the customer with the issuer account number of the customer (col. 8, lines 17-22; col. 16, lines 29-44; col. 44, lines 30-67);

Regarding claim 3, Melchione discloses a method further comprising the step of maintaining a database containing issuer account numbers representing issuer accounts of customers of an issuer, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59, col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67);

Regarding claims 4 and 12, Melchione discloses a method further comprising the step of adding the matched non-issuer account numbers to the database as customer non-issuer account numbers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-41; col. 7, lines, 23-59; col. 8, lines 17-22; col. 14, lines 47-65; col. 16, lines 17-

Art Unit: 3628

44; col. 20, lines 10-16; col. 23, lines 1-17; col. 34, lines 30-35; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claims 5 and 13, Melchione discloses a method wherein the database further contains historical transaction data representing previous transactions performed by the customer using a non-issuer account (col. 4, lines 29-37; col. 7, lines 52-65; col. 8, lines 17-22; col. 10, lines 44-52), the method further comprising the step of updating the historical transaction data in the database by adding received transaction data, which contains matched non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claims 6, 14 and 19, Melchione discloses a method further comprising the step of performing queries on the database (col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 8, lines 54-58; col. 14, lines 47-65).

Regarding claims 7, 15 and 20, Melchione discloses a method further comprising determining the use of the non-issuer account by the customer in response to a result of the query (col. 2, lines 30-41; col. 4, lines 29-37; col. 8, lines 54-58; col. 35, lines 29-62).

Regarding claims 8, 16 and 21, Melchione discloses a method further comprising marketing services of the issuer to the customer in response to the determined use by the customer (col. 5, lines 30-36; col. 6, lines 1-3; col. 7, lines 12-22; col. 8, lines 54-67).

Regarding claims 9, Melchione discloses a method further comprising the steps of eliminating transaction data account number issued by the issuer; and eliminating transaction data that contains data representing duplicate non-issuer account number (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 11, Melchione discloses a method further comprising the step of maintaining a database containing issuer account numbers, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (col. 2, lines 20-41; col. 8, lines 17-22; col. 16, lines 17-44).

Regarding claim 17, Melchione discloses a method further comprising the steps of eliminating duplicate account numbers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Response to Arguments

Applicant's arguments filed regarding 35 USC § 103 have been fully considered but they are not persuasive. The Examiner finds that the art as cited in the previous and current Office Actions teach and disclose the method as claimed in the current application. Specifically addressing the Applicant's remarks, motivations and modifications on the use of terminology have been addressed in the current Office Action. And, the grounds of rejection for each claim have been clarified. Melchione teaches and discloses identifying account numbers for both customers and non-customers. The Examiner maintains the previous rejection that while Melchione uses the terms customers and non-customers, the inherent difference is representing issuer-account numbers (existing customers) and non-issuer account numbers (potential and/or non-customers). When the account numbers are received, be it from customers or non-customers, these account numbers are identified and matched within the database as disclosed by Melchione. Thereby, the steps and methods as claimed by the Applicant are disclosed by Melchione. Account information is received, identified, scrubbed and sanitized, duplicates removed, matched, and then merged/linked such that a single account is help and maintained for each individual, creating a central and single database placeholder for the individual and their various accounts from internal and/or external sources such that a search would find all accounts associated with the individual in a single entry.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 571-272-6799. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 3628

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3628



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